



**BRADLEY L. HENRY**  
bhenry@mrlp.com

## MEMORANDUM ENDORSED

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: \_\_\_\_\_  
DATE FILED: 8/12/2020

New York Office  
800 Third Avenue  
24<sup>th</sup> Floor  
New York, NY 10022  
**P** 212.730.7700 **F** 212.730.7725 [www.mrlp.com](http://www.mrlp.com)

August 12, 2020

### VIA ECF

Hon. Gregory H. Woods  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

*Re:* United States v. Otoniel Burgos, 19 Cr. 306 (GHW)

Dear Judge Woods:

I write to respectfully request a 60-day adjournment of sentencing for Mr. Burgos' sentencing hearing that is currently scheduled for August 26, 2020 because of conditions related to the COVID-19 pandemic. AUSA Cecilia Vogel consents to the adjournment.

Counsel for Mr. Burgos has small children and has significant concerns about the risks appearing at the courthouse cause for his family. Counsel and his family recently underwent a 14-day quarantine, and have significant concerns about the spread of COVID within the household, particularly to the children when evidence suggests that there are harmful and potentially fatal complication for infants and young children (counsel has both). Additionally, counsel for Mr. Burgos and the government have conferred and the government is not amenable to conducting sentencing by video. The only option is an in-person hearing that is dangerous, and which can be reasonably adjourned until time when conditions are safe to proceed. Thus, counsel respectfully asks the Court to adjourn sentencing for 60-days. Thank you for considering this request.

Application granted. At the outset, the Court notes that the court has adopted a number of protocols to protect against the risk of infection. Those protocols are described on the Court's website. As a result, the Court had anticipated that the sentencing would proceed as scheduled in person. Nonetheless, the request is granted. The sentencing proceeding is adjourned to October 30, 2020 at 3:00 p.m. The defendant's sentencing submissions are due no later than October 16, 2020; the Government's sentencing submissions are due no later than October 23, 2020.

SO ORDERED

August 12, 2020

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GREGORY H. WOODS  
United States District Judge

Sincerely,

**MICHELMAN & ROBINSON, LLP**

*s/Bradley L. Henry*

Bradley L. Henry